REMARKS

The office action and the references cited therein have been carefully considered together with the present application and the independent claims 1, 13, 15 and 20 have been amended to more accurately define the present invention and to emphasize pre-existing differences between the invention claimed and the prior art that has been applied by the examiner. As a result of these amendments, it is believed that the independent claims are in condition for immediate allowance.

The examiner has rejected claims 1-6, 12, 15 and 20 under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Kadota. It is strongly believed that neither of these patents, applied singularly or in combination, teach or suggest the method of claim 1. The examiner has acknowledged that Okada fails to teach the step of the server querying, responsive to a predetermined event, a peripheral device that is connected to the server by a physical port interface for information which identifies the peripheral device which was part of the original claim. Okada not only fails to teach this step as originally drafted, it also does not include the step as amended, which now includes the recitation "wherein said peripheral device identification information comprises one or more of the manufacturer, model name and model number and serial number of the peripheral device."

The examiner attempts to supply the acknowledged deficiency of Okada by Kadota, stating that Kadota teaches "the server querying . . . for information which identifies the peripheral device." The examiner states that the combination of Okada and Kadota is motivated because "identification information allows the server to keep track of the exact device being used". Applicants submit that the only motivation for the combination is through the application of hindsight using the claim as a roadmap to make the combination. The examiner's stated motivation of identification information allows the server to keep track of the exact device being used is believed to be flawed because Okada already has identification information that allows a server to keep track of the exact device being used, but it is different from what is claimed.

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As is indicated at column 10, lines 2-15, as well as column 8, lines 47-48 of Okada, a channel ID is previously assigned to each peripheral and therefore it doesn't need any identification information that might be provided by Kadota. It is also submitted that Kadota would not be consulted by one of ordinary skill in the art for the reason that Kadota is not a server and is not have any network environment context. It is simply a personal computer that has a port monitor for monitoring logic ports LPT1, LPT2, etc., as well as "COM1", "COM2", or USB ports.

The examiner also distorts the teachings of Kadota in the attempt to characterize Kadota as supplying the deficiencies of Okada. Even assuming that one could legitimately and properly combine Kadota with Okada, Kadota does not have "a server querying ... for information which identifies the peripheral device, wherein said peripheral device identification information comprises one or more of the manufacturer, model name, model number and serial number of the peripheral device". Kadota does not obtain the name of the manufacturer or the model name or the model number or the serial number of the peripheral device.

While Kadota speaks of serial number, it is clear from column 7, lines 42-50 that serial number is a number that is created by the CPU and not obtained from a peripheral device. This is quite different, because Kadota does not obtain information from the peripheral itself, it makes it up. Similarly, as set forth in column 8, lines 18-23, the link name is created and registered simultaneously with creation and registration of the serial number. For these reasons, it is believed that claim 1, as amended, is neither taught nor suggested by Okada, applied singularly or in combination with Kadota.

The argument that has been made with regard to claim 1 equally applies to the other independent claims 13, 15 and 20 and it is therefore believed that these claims are also in condition for immediate allowance.

With regard to the dependent claims, they necessarily include the features of the independent claims from which they depend and in addition add other functionality or features that are not found in those claims and for that reason alone, the dependent claims are also believed to be in condition for immediate allowance.

With regard to the additional functionality, claim 10 recites that additional steps are performed as a result of comparing said identification information received from the peripheral device with said information maintained in said table and if it fails to detect a positive comparison, performs the steps of searching the table to determine if the number of logical port entries is less than the maximum number of entries, indicating one or more logical port entries are available, as well as assigning an available logical port identification to an unassigned peripheral device and storing said logical port identification, said identification information and an assigned status in an entry in the table is in response to a logical port being available, the server suspending processing of the unsigned peripheral for a predetermined time if there is no logical port available and most importantly, the server resuming processing after said predetermined time period and searching said table for reserved status entries and selects a reserved status entry that closely matches, according to predetermined criteria, the identification information of the peripheral device that is unassigned and assigns the unassigned peripheral device to the logic port.

These operations, and particularly the selection of reserved entries that closely match identification information of the peripheral device that is unassigned and assigns the unassigned peripheral device to the logical port is not taught or remotely suggested by Okada, Kadota or any of the other cited references, including Fujitsuka. This functionality is also claimed in claim 23 and therefore claim 23 should also be allowable for reasons other than the fact that it depends from what applicants believe to be an allowable claim.

Claims 7-11, 13, 14, 16-19 and 21-24 were rejected under 35 U.S.C. 103 as being unpatentable over Okada and Kadota further in view of Fujitsuka. Clearly Fujitsuki fails to supply the deficiencies of Okada and Kadota. Applicants also believe that the combination of Fujitsuka with the other two patents is also improper. Fujitsuka is classified in Class 379, subclass 211, which is telephonic communications with the subclass including call forwarding, call diversions, sequential ringing and interception of phone signals that is entirely unrelated to Okada and Kadota. Kadota is classified in Class 345, subclass 501 which relate to computer graphic processing operator interface processing and Okada is classified in Class 710, subclass 5, which

is electrical computer and digital data processing systems, with subclass 5 comprising in/out command processing.

It is submitted that one of ordinary skill in the art would not consult a telephone electronic exchange apparatus because it has nothing to do with assigning logical ports to peripheral devices. It relates to telephone handsets, all of which presumably perform an identical function and is concerned with enabling the call numbers of the handsets to be changed. It is believed that the reference to portions of Fujitsuka merely reflect the application of improper hindsight and also mischaracterizes the objective teachings of this patent.

For the foregoing reasons, reconsideration and allowance of all claims pending in the application is respectfully requested.

Respectfully submitted,

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October 14, 2004

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